

APPROVED
VILLAGE OF LAKE ZURICH
SPECIAL PLAN COMMISSION MEETING MINUTES
OCTOBER 15, 2008

The meeting was called to order by Chairman Cushman at 7:35 p.m.

ROLL CALL: *Present* - Chairman Cushman, Commissioners, Bowling, Castillo, Crane, Luby, Minden, and Stratman. *Excused* – Commissioners Jackson and Tassi.

Also present: Village Administrator Vitas, Village Attorney Burkland, Village Planner Gadde, Building and Zoning Director Peterson, Police Chief Finlon, Fire Chief Mastandrea, and Public Works Director/Engineer Heyden. *Also present:* Beth Hessler of Torti Gallas and Partners

PUBLIC HEARING:

FORM-BASED CODE: VARIOUS AMENDMENTS TO THE LAKE ZURICH ZONING CODE AND THE LAKE ZURICH ZONING MAP NECESSARY AND APPROPRIATE TO (1) AMEND THE TEXT OF THE ZONING CODE AND THE ZONING MAP TO REVISE PROVISIONS OF THE DR DOWNTOWN REDEVELOPMENT OVERLAY DISTRICT AND THE BOUNDARIES OF THAT DR DISTICT (2) AMEND THE TEXT OF THE ZONING CODE BY ADOPTING NEW FORM-BASED REGULATIONS THAT WOULD GOVERN FUTURE USE AND DEVELOPMENT ON CERTAIN PROPERTY WITHIN THE VILLAGE'S DOWNTOWN REDEVELOPMENT AREA AND AMEND THE ZONING MAP TO ESTABLISH BOUNDARIES FOR THE AREAS WITHIN WHICH THE FORM-BASED ZONING REGULATIONS WOULD APPLY AND (3) AMEND VARIOUS OTHER PROVISIONS OF THE ZONING CODE AS NECESSARY TO PROPERLY INCORPORATE THE NEW REGULATIONS INTO THE ZONING CODE

The public hearing was opened at 7:36 p.m. The court reporter swore in the presenters that would be testifying.

Beth Hessler, representing Torti Gallas and Partners, narrated a PowerPoint presentation that generally followed the October 8, 2008 *Village of Lake Zurich Review Copy of Form-Based Code*. The code is composed of six basic components: regulating plans, thoroughfare standards, frontage types, open space standards, development standards, and a glossary of terms, all of which were reviewed in detail. She summarized the section, *Under Authority and Process*, which states that “With the adoption of this code, the Village will establish a review process for specific site plan applications for parcels falling under the jurisdiction of the code” then described the process including the review by a Village Architect. A procedure will be established for granting variances from the code. The final locations of all infrastructure should be in compliance with the standards in this code and in the spirit of the vision set forth in the planning Charette so the precise locations of buildings and other elements of the Vision Plan will be subject to site conditions identified through civil surveys and other tools, and interpretation of this code with respect to actual conditions on the ground will be the responsibility of the granting authority.

A detailed review of the Focus Area Regulating Plan: Block A, B, C, and D; the Extended Village Regulating Plan including Blocks E, F, G, H, J, and K followed. Thoroughfare Standards, with Street Types A, B, and C were reviewed. Commercial (Primary) and Residential (Primary or Secondary) Frontage Standards were charted on the map with examples of Commercial/Flex

Frontage, Commercial Route 22 Frontage, Lake Frontage, Primary Residential Frontage, Secondary Residential Frontage, Park Residential Frontage, Residential Route 22 Frontage, and Transit Frontage depicted. Open Space Standards, with the five open spaces proposed in the plan were discussed. They are the Lake Front Promenade, Square at Lakeview (corner of Main Street and Lakeview), Square at Rand (Main Street at Old Rand Road), Circle Gateway (Main Street and Church Road), and Residential Green (Lake Street and Main Street).

The presentation concluded with review of:

General Development and Design Standards Relating to: Frontage Occupancy, Encroachments at Build-to Line, Alleys, Parking, Service and Loading, and Storm Water Management.

Landscape Standards: Paving, Plazas and Open Spaces, Edge Conditions, Parking Landscaping, Lighting, Furnishings, Movable Chairs and Tables, and Planters.

Architecture: Massing and Form, Composition and Details, Roofs, Ground Floor Retail/Flex, Facades, Materials, Awnings, and Retail Signage.

The court reporter swore in members of the public wishing to testify at 8:40 p.m.

John Roache, 37 Mionske Drive, said he was not aware that his property would be affected until he got the public hearing notice last week.

Debbie Lind, 5 Ironwood Court, said the size and scope of the proposed buildings would ruin the character of her neighborhood and block the natural light. She said greater setbacks and buffering are necessary when this type of development comes in contact with residential communities. She said form-based codes should only apply to the TIF District. Ms. Lind is opposed to the large buildings and believes single-family homes or R-4 row homes would be more appropriate.

Elvira Michalek, 28 Mionske Drive, said the demand for combined retail and residential use in downtown development has been overestimated, and there are many failures. She questioned why more of this type of development should be planned and asked that a different use be considered.

Jim Tarbett, 1195 Cedar Creek Drive, said the materials for tonight's meeting were not available at the Village Hall or library. He said the character of Lake Zurich had not been considered when designing the proposed development. Mr. Tarbett asked that the residents' comments be heard especially regarding the height of the buildings and the setbacks.

Mel Meyer, said his mom and sister live at 36 Park Avenue, referred to a letter they received from former Village Administrator Dixon in 1993 regarding downtown development.

Jamie Maravich, 65 Robertson Road, said the Village needs to take a great deal of time to be sure they get the plan right, is consistent, and shows respect for the residents. Appropriate setbacks allowing privacy are needed. She has reviewed the form-based code proposal and found inconsistencies. Ms. Maravich was asked to contact staff to discuss the inconsistencies she referred to.

Chairman Cushman said massing in the center away from the residences makes sense and recommends massing and height be discussed further. Staff was asked to incorporate the proposed

form-based codes into the language of the existing Zoning Code for the next Plan Commission hearing.

Commissioner Bowling said the comments raised by the residents regarding Block E need to be considered and a detailed reviewed of the area needs to take place.

Building and Zoning Director Peterson responded to comment made by the residents and Plan Commission members. He said the areas in the extending regulating plan should be addressed, and it is important that all building and safety requirements be met and not waived because of the form-based codes. Staff will review setbacks and other issues for safety and conformity to standards and involve planning and legal experts. He said the Village Attorney will be amending specific language in the code.

Village Attorney Burkland summarized the Zoning Code sections that will need to be amended as the form-based code moves forward. Landscaping, lighting, parking, loading, and the application process are among issues that will be reviewed. He said the Plan Commission needs to address existing non-conformities and direct staff on how they should proceed. Village Attorney Burkland provided clarification on what can and what cannot be handled administratively per State law.

Mr. Roache said his property is non-conforming to which Building and Zoning Director Peterson responded that situations such as his will be reviewed on a case-by-case basis. The Revised Copy 2 dated October 8, 2008 in color is at the library and information is on the VOLZ web site on form-based codes.

Discussion continued related to exterior appearance, architecture style, and building height. Ms. Hessler said the building height in the form-based code was the maximum allowed and one could build lower. Commissioner Crane questioned how it would affect the rhythm of the downtown. Ms. Hessler responded that the development would be market-driven, and the Village would need to rely on their staff architect to be their advocate to promote relationships that were in the plan.

ADJOURNMENT:

MOTION was made by Commissioner Crane, seconded by Commissioner Castillo, to continue the public hearing until the next regularly scheduled Plan Commission meeting.

AYES: 7 Chairman Cushman, Commissioners Bowling, Castillo, Crane, Luby, Minden, and Stratman.

NAYS: 0

MOTION CARRIED

The meeting was adjourned at 9:47 p.m. to reconvene on November 5, 2008 at 7:30 p.m.

Submitted by: Janet McKay, Recording Secretary

Approved by: _____ 11/5/08